

IR 044-2

CITY OF MONTICELLO

ORDINANCE NO. 2003-2

TITLE: Amendment to Zoning Regulations, Monticello City Code, Title 10: Chapter 12, OL-1 Overlay Zone.

PURPOSE: To amend Sections 10-12-1 and 10-12-2: OL-1 Overlay Zone, to include certain city-owned property defined by the Department of Energy as being remediated to "an alternative clean-up level" rather than to supplemental standards.

WHEREAS, an Overlay Zone was created expressly for the purpose of controlling future land-use on certain properties within Monticello City limits where supplemental standards were applied by the Department of Energy requiring remediation to meet Environmental Protection Agency standards for Radium-226; and

WHEREAS, it has been determined that the OL-1 Overlay Zone, as written, does not apply to property wherein uranium concentrations exceed Department of Energy guidelines; and

WHEREAS, the Department of Energy applied an alternative clean-up level to a certain city-owned property which contains concentrations of uranium exceeding their guidelines;

NOW, THEREFORE, be it ordained by the Monticello City Council that Monticello City Code, Title 10, Chapter 12, Sections 1 and 2, OL-1 Overlay Zone, shall be amended as herein stated, and that all other provisions, sections and sub-sections of said Chapter 12 shall remain in full force and effect:

1) 10-12-1: INTENT: The intent in establishing an OL-1 Overlay Zone is to control building in any zone where a Department of Energy supplemental standard or an alternative clean-up level exists.

2) 10-12-2: PERMITTED USES:

A. No permanent, habitable structure shall be erected in any zone where a Department of Energy supplemental standard or an alternative clean-up level applies until the following conditions are met.

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1. The foundation for the structure shall be excavated prior to being surveyed for radiological contamination (i.e., Radium-226 or Uranium).

This Ordinance shall become effective on date of passage and shall supersede any previous Ordinance or Resolution in conflict with the provisions herein.

PASSED and ADOPTED by the Monticello City Council this 23rd day of April, 2003.

IN WITNESS THEREOF



C. Scott Pehrson, Mayor

ATTEST:



Rita Walker, C.M.C., Recorder



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